

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
SPECIAL EXCEPTION & VARIANCE \* ZONING COMMISSIONER  
S/S Hopewell Avenue, 20 ft. \*  
NE of c/l Oakhurst Avenue \* OF BALTIMORE COUNTY  
1615 Hopewell Avenue \*  
15th Election District \* CASE # 91-322-SPHX  
5th Councilmanic District \*  
Contract Purchaser: \*  
Hopewell Day Care, Inc. \*  
Legal Owner: \*  
First Baptist Church of Back \*  
River \*  
Petitioner \*

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

The Petitioner herein requests, pursuant to the Petition for Special Hearing, a determination that the proposed use of a Class B Child Care Center is within the subject Church and, to determine if the bulk standards of Section 424.7 may be variances, and when the RTA requirements are applicable and, when such a facility is exempt from RTA requirements; and in the alternative, a petition for Special Exception to approve the use of the herein described property for a Class B Child Care Center within the RTA; and, pursuant to the Petition for Zoning Variance, variances from Section 424.7a to permit site acreage of .2850 acres in lieu of the required 1 acre, and Section 424.7b to permit a front yard setback of 10 ft in lieu of the required 25 ft., and from Section 424.7b to permit a side yard setback of 12 ft. in lieu of the required 50 ft. and 40 ft. in lieu of the required 50 ft., and from Section 424.7b to permit a side perimeter vegetative buffer 12 ft., and from Section 424.7b to permit a side perimeter vegetative buffer 12 ft and 10 ft. in lieu of the required 20 ft., and from Section 424.7b to permit a rear perimeter vegetative buffer of 6 ft. in lieu of the required 20 ft., and from Section 424.7c to permit no onsite drop off or delivery area in lieu of the required side or rear yard drop of area, and a variance from Section 424.1b to permit a fence with a 0 ft. setback in lieu of the required 20 ft., and from Section 409.8(A)(4) to allow parking within 2 ft.

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By M. J. J. J.

of a street right of way in lieu of the required 10 ft., as more particularly described on Petitioner's Exhibit No. 1

The Petitioner, by Pastor Isaiah Hill, appeared, testified and was represented by Darryl G. Fletcher, Esquire. Also appearing on behalf of the Petitioner was Ed Canino, Architect. Catherine Drayton appeared on behalf of the Department of Community Development for Baltimore County. Appearing as Protestants were Delores and Charles Poole, Sr.

Testimony indicated that the subject property, known as 1615 Hopewell Avenue, consisting of .2850 acres +/-, zoned D.R.5.5, is currently improved with a single family dwelling.

Testimony and evidence indicated that the subject property is owned by the First Baptist Church of Back River which is situated across Oakhurst Avenue from the subject site, as indicated on Petitioner's Exhibit No. 1.

Pastor Isaiah Hill testified that the Church is approximately 80 years old and has operated a day care facility for the past 7 years. Pastor Hill testified that the Church currently provides day care for low income families who live in the surrounding communities. He testified that, in consideration for the low day care fees, the parents volunteer their time for such activities and services as reading to the children, cutting grass, etc. Pastor Hill testified that the subject facility will be leased to Hopewell Day Care, Inc. who will manage the facility.

Mr. Edward Canino, Architect, generally described the layout of the property. He requested, in view of the fact that the Day Care Center will be a non-profit organization, that the Petitioner be permitted to landscape the property in phases over a period of one year due to costs.

Catherine Drayton, Department of Community Development for Baltimore County, testified that her department supports this project and that it is

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the only non-profit Day Care Center in this area. Testimony indicated that the center provides high quality care at a price that low income families can afford.

Delores and Charles Poole, Sr., Protestants, both concurred in their concerns regarding the negative impact that they perceive this facility will have on traffic in their community and the fear that the subject facility represents commercial encroachment on their neighborhood. They indicated that such a large facility was out of character with the residential community.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.5.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A2d 1319 (1981). The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the

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By M. J. J. J.

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property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, with certain restrictions as more fully described below.

The Petitioner also requested, pursuant to the Petition for Special Hearing, for a determination that the proposed Class B Child Care Center is within a church. The Petitioner did not carry his burden of proof in establishing that the proposed facility is "within" a church. Therefore, this portion of the special hearing relief will be denied.

The Petitioner also requested, pursuant to the Petition for Special Hearing, a determination that the bulk standards of Section 424.7 may be variances. Section 307.1 of the B.C.Z.R. permits the Zoning Commissioner to grant variances from height and area regulations. Clearly, Section 424.7 is a regulation concerning area and, therefore, may be variances, pursuant to the authority of Section 307.1 of the B.C.Z.R.

The Petitioner has also requested the aforementioned variances.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

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- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted in part.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 14<sup>th</sup> day of July, 1991 that the Petition for Special Hearing, for a determination that the proposed use of a Class B Child Care Center is within the subject Church, is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioner's request, pursuant to the Petition for Special Hearing for determination that the bulk standards of Section 424.7 may be variances, is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitioner's request, pursuant to the Petition for Special Exception, for approval to use the herein described

property for a Class B Child Care Center within the RTA, is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance, a variance from Section 424.7a to permit site acreage of .2850 acres in lieu of the required 1 acre, is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance, a variance from Section 424.7b to permit a front yard setback of 10 ft in lieu of the required 25 ft., is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance, a variance from Section 424.7b to permit side yard setback of 12 ft. in lieu of the required 50 ft., and 40 ft. in lieu of the required 50 ft., is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Zoning Variance, a variance from from Section 424.7b to permit a side perimeter vegetative buffer 12 ft and 10 ft. in lieu of the required 20 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Zoning Variance, a variance from Section 424.7b to permit a rear perimeter vegetative buffer of 6 ft. in lieu of the required 20 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Zoning Variance, a variance from Section 424.7c to permit no onsite drop off delivery area in lieu of the side or rear yard drop off area is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Zoning Variance, a variance from Section 424.1b to permit a fence with 0 ft. setback in lieu of the required 20 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Zoning Variance, a variance from Section 409.8(A)(4) to allow parking within 2 ft. of a

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By M. J. J. J.

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street right-of-way in lieu of the required 10 ft. is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

IT IS FURTHER ORDERED that the Petitioner phase in, over a period of one year from the date of this Order, all landscaping required by the Baltimore County Landscape Planner.

JRH:mmn  
cc: Peoples Counsel

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner for  
Baltimore County

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Date 5/14/91  
By M. J. J. J.

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

May 13, 1991

Darryl G. Fletcher, Esquire  
8905 Harford Road  
Baltimore, Maryland 21234

RE: Petitions for Special Hearing, Special Exception and Zoning Variance  
First Baptist Church of Back River, Legal Owner  
Hopewell Day Care, Inc., Contract Purchaser, Petitioner  
Case #91-322-SPHX

Dear Mr. Fletcher:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in part in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:mmn  
att:  
cc: Peoples Counsel  
cc: Mr. Edward Canino  
cc: Ms. Catherine Drayton  
cc: Mr. and Mrs. Charles Poole, Sr.

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11-20-90 REV.  
12-31-90 PRINT

REVISIONS

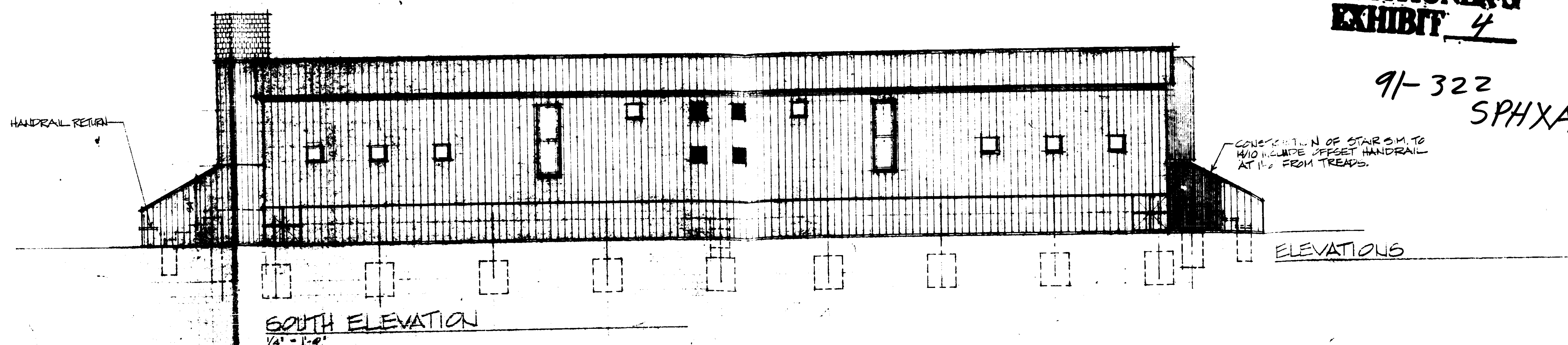
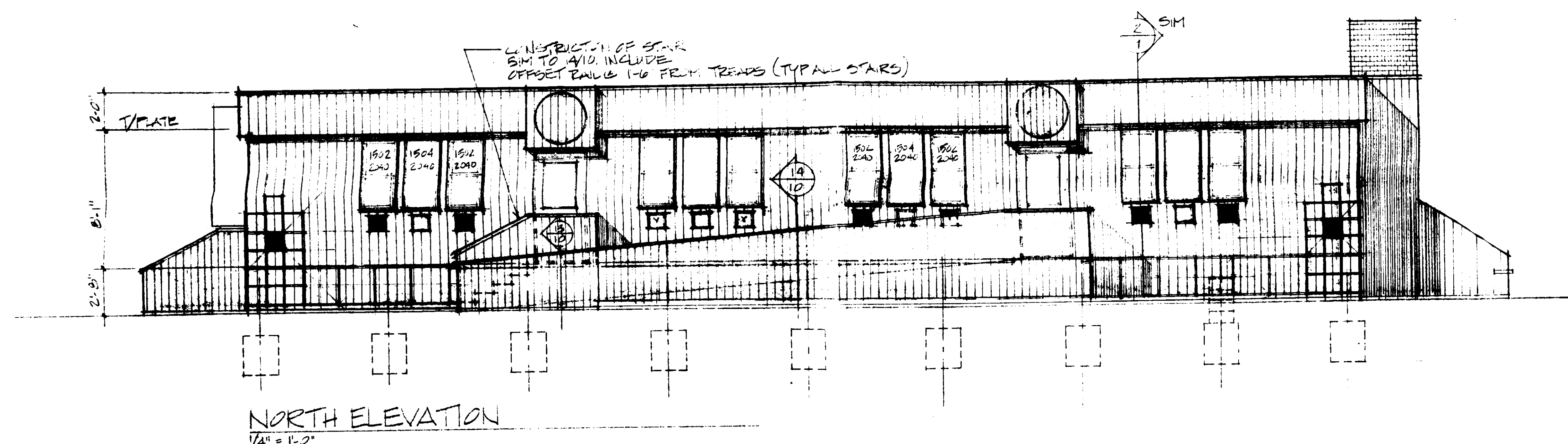
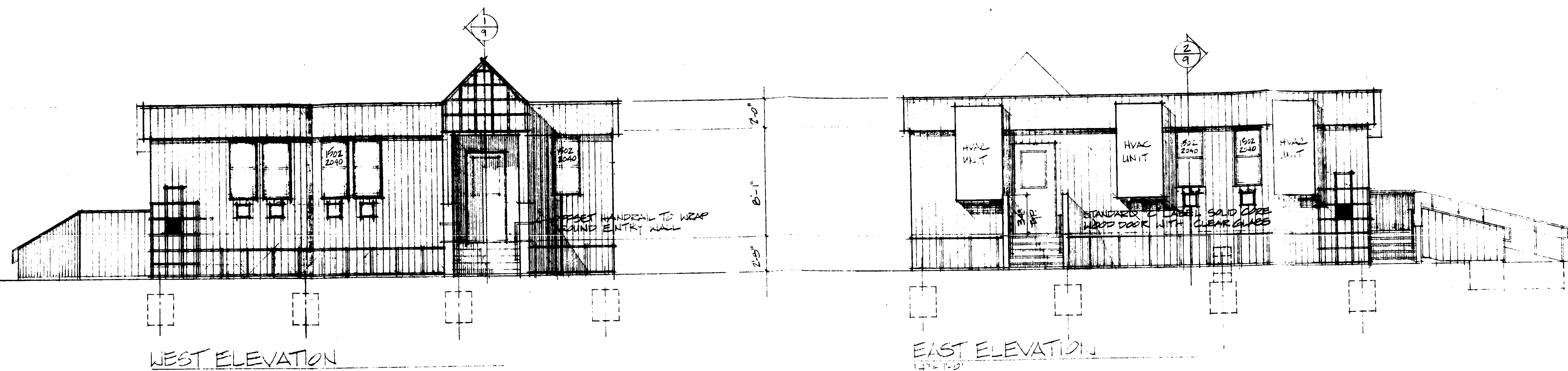
HOPENELL DAY CARE CENTER  
1315 HOPENELL AVE  
BALTO. MD 21221

E.M. CANINO + ASSOCIATES  
ARCHITECTS / PLANNERS  
8811 Harford Road / Baltimore, Maryland 21234 / 301/661-0415 / FAX 301/661-4224



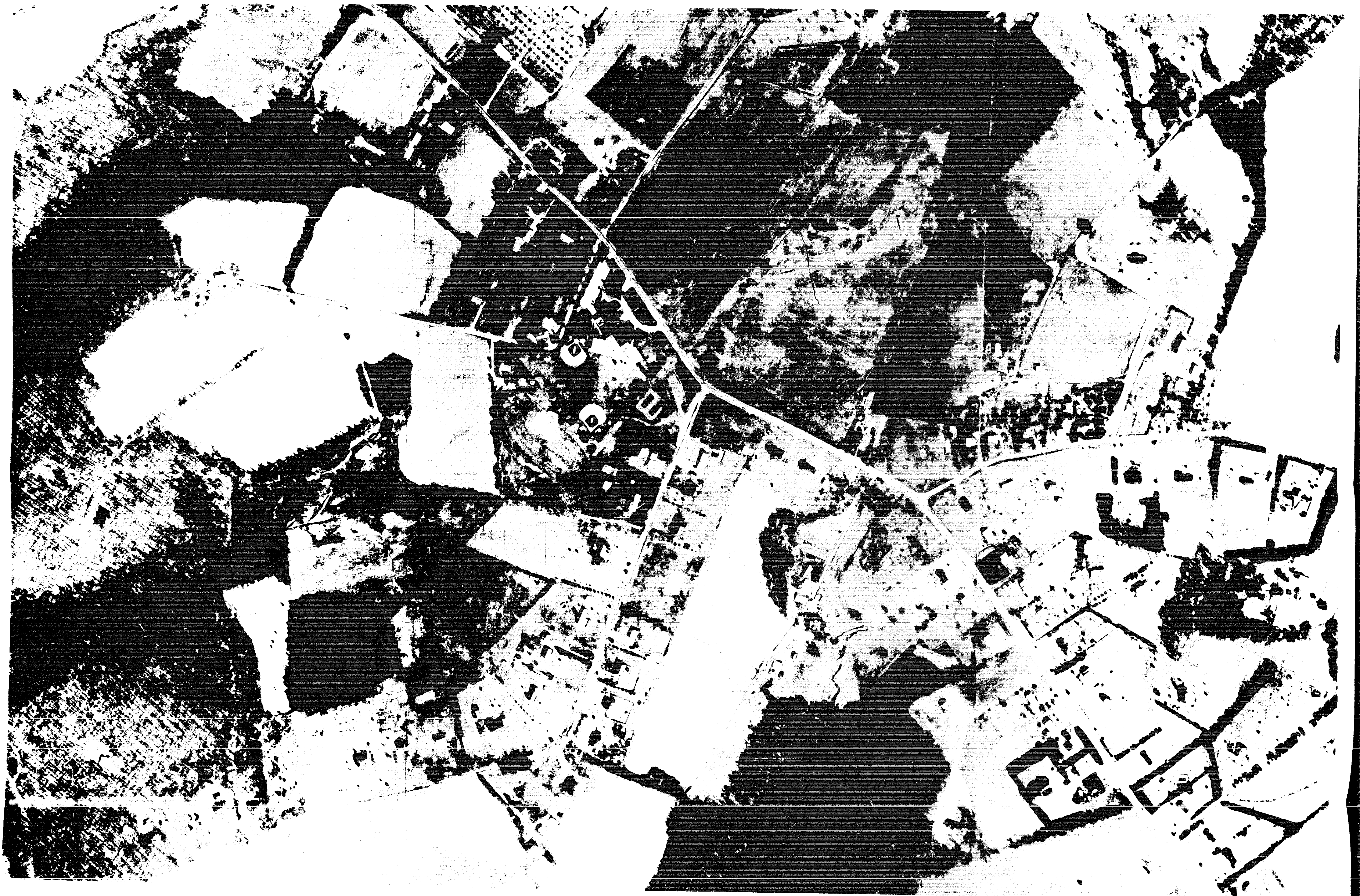
SHEET NO.

8



PETITIONER'S  
EX #4





**PROTESTANT'S  
EXHIBIT**

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±  
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
6TH DISTRICT  
CONSOLIDATED  
SCHOOL

SHEET  
N W  
34-E



## REVISION

HOPEWELL DAY CARE CENTER  
1615 HOPEWELL AVE. BALTO. MD. 21221

# MAIN FLOOR PLAN

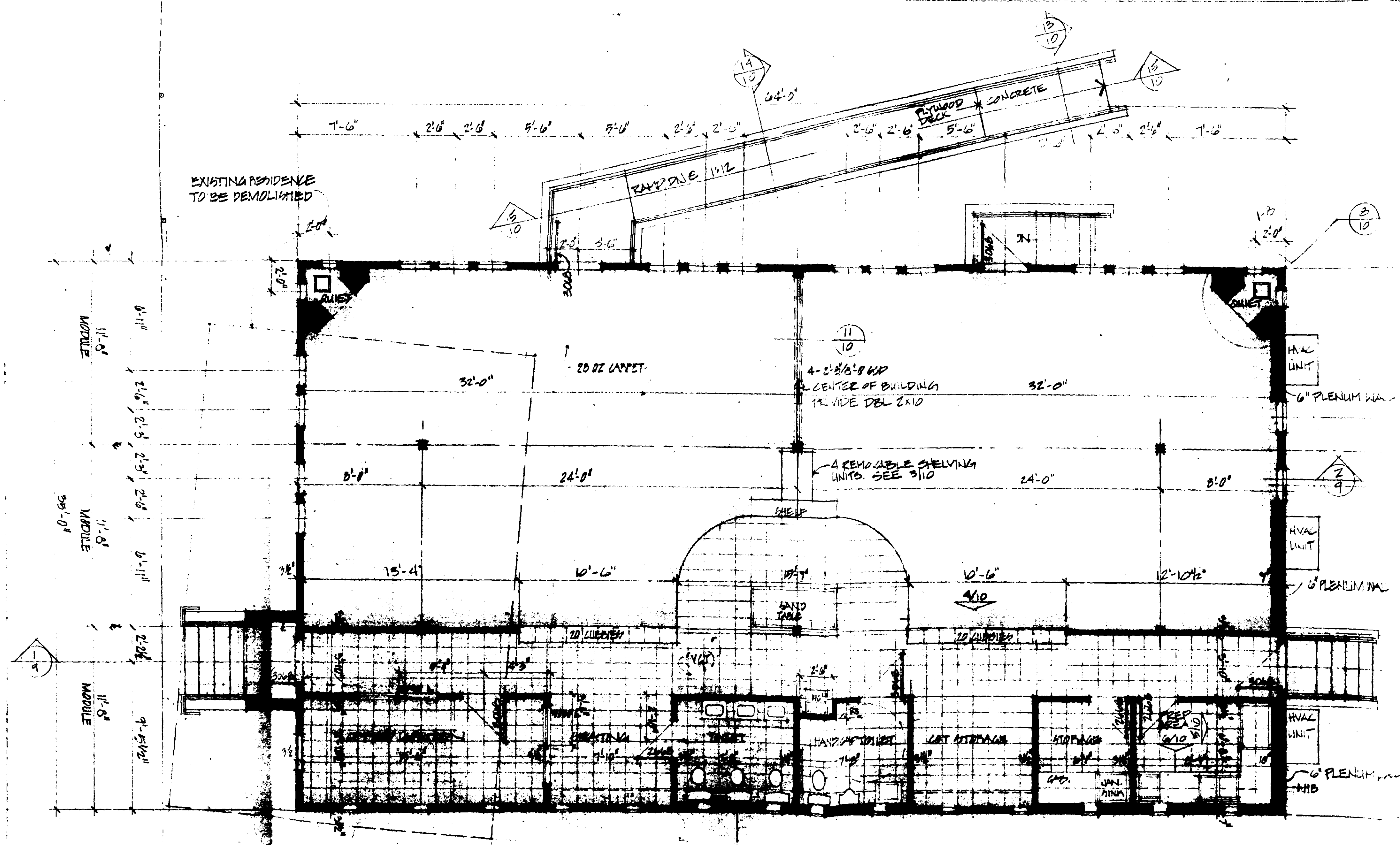
**E.M.CANINO+ASSOCIATES**  
ARCHITECTS / PLANNERS

8811 Harford Road / Baltimore, Maryland 21234 / 301/661-0415 / FAX 301/661-4224



SHEET NO.

15



NOTE: 1. ALL INTERIOR DOORS ARE TO BE FLUSH LEAF W/ HOLLOW CORE WOOD DOOR. REFER TO PLAN FOR SIZES

2. ALL EXTERIOR DOORS ARE TO BE SOLID CORE WOOD FINISH LEAF W/ GLASS. REFER TO ELEVATIONS FOR DETAILS.

3. ALL DOOR SIONS ARE TO FACE OF STUDY HALL.

**PETITIONER'S  
EXHIBIT 5**

91-322  
SPHXA

### MAIN FLOOR PLAN

Petitioners  
FD #5-

# PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-322-SPHXA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Class B Child Care Center within RTA

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
Hopewell Day Care, Inc. By:  
(Type or Print Name)  
[Signature]  
Signature  
1613 Hopewell Avenue  
Address  
Baltimore, Maryland 21221  
City and State

Legal Owner(s):  
First Baptist Church of Back River  
(Type or Print Name)  
[Signature]  
Signature  
BY: Pastor Isaiah Hill  
(Type or Print Name)  
Signature

Attorney for Petitioner:  
Darryl G. Fletcher  
(Type or Print Name)  
[Signature]  
Signature  
8905 Harford Road  
Address  
Baltimore, Maryland 21234  
City and State

Attorney's Telephone No.: 882-2000  
1613 Hopewell Ave. 687-3040  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 26 day of Feb., 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11 day of April, 1991, at 2 o'clock P.M.  
J. Robert Hines  
Zoning Commissioner of Baltimore County

S.C.O.-No. 1 (over)

ORDER RECEIVED FOR FILING

Date By

## SILBERMANN & ASSOCIATES, INC.

Engineers • Planners • Surveyors

3527 EAST JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
(301) 861-9088  
FAX NO. 861-9728

FEBRUARY 7, 1991

DESCRIPTION OF A PARCEL OF LAND ON THE SOUTHEAST CORNER OF HOPEWELL AVENUE AND OAKHURST AVENUE IN THE 15TH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND, KNOWN AS # 1615 HOPEWELL AVENUE.

BEGINNING AT A PIPE SET ON THE SOUTHEAST SIDE OF HOPEWELL AVENUE, AS WIDENED TO FIFTY FEET, AT THE INTERSECTION OF THE PROPERTY LINE IN COMMON WITH # 1617 HOPEWELL AVENUE;

THENCE, ALONG THE SAID LINE;

(1) S 59°56'53" E 140.00 FT.

(2) S 30°03'07" W 89.03 FT.

(3) N 59°56'53" W 125.00 FT.

(4) THENCE, WITH A CURVE TO THE RIGHT, WITH A RADIUS OF 15.00 FT. AND AN ARC LENGTH OF 23.56 FT.;

(5) N 30°03'07" E 74.03 FT.

TO THE PLACE OF BEGINNING.

BEING LOT # 20 C AND LOT # 21, AS RECORDED ON THE SURDIVISION OF "MIDRIVER PARK" IN BALTIMORE COUNTY PLAT BOOK # 4, FOLIO # 12, AS MODIFIED BY THE WIDENING OF HOPEWELL AVENUE TO 50 FEET WIDE AND OAKHURST AVENUE TO 40 FEET WIDE.

CONTAINING 12,414.60 SQUARE FEET, OR 0.2850 ACRES OF LAND, MORE OR LESS.

HARVEY SILBERMANN, P.E.  
PROFESSIONAL ENGINEER  
MARYLAND P.E. # 4240



316

# PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-322-SPHXA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Zoning Board should revoke

1. Determine if the proposed use of Class B Childcare Center is within

2. To determine if the bulk standards of Section 424.7 may be variances.

(a) When RTA is applicable (b) When exempt from RTA.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: LESSEE

HOPEWELL DAY CARE, INC. BY:

(Type or Print Name)

[Signature]

Signature

1613 Hopewell Avenue

Address

Baltimore, Maryland 21221

City and State

Attorney for Petitioner:

Darryl G. Fletcher

(Type or Print Name)

[Signature]

Signature

8905 Harford Road

Address

Baltimore, Maryland 21234

City and State

Attorney's Telephone No.: 882-2000

Legal Owner(s):

First Baptist Church of Back River

(Type or Print Name)

[Signature]

Signature

BY: Pastor Isaiah Hill

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Pastor Isaiah Hill

Name

1613 Hopewell Ave. 687-3040

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 26 day of Feb., 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11 day of April, 1991, at 2 o'clock P.M.  
J. Robert Hines  
Zoning Commissioner of Baltimore County

S.C.O.-No. 1

(over)

ORDER RECEIVED FOR FILING

Date By

316

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 15th Date of Posting: 3/29/91

Posted for: Special Exception, Paul Hines & Assoc.

Petitioner: 1st Baptist Church of Back River, Inc. through Pastor Isaiah Hill

Location of property: 1613 Hopewell Ave., Baltimore, Md.

Location of Sign: Front of property

Remarks: Class B Childcare Center

Posted by: [Signature] Date of return: 3/29/91

Number of Signs: 2

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Law and Zoning Regulations of Baltimore County, hereby gives notice of a public hearing on the proposed use of Class B child care center in the RTA area, located at 1613 Hopewell Avenue, Baltimore, Maryland 21221, on the 11th day of April, 1991, at 2:00 P.M.

Class B child care center within RTA.

Special Exception: For a Class B child care center within RTA.

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Special Exception: For a Class B child care center within RTA.

## The Times

Middle River, Md., March 15, 1991

This is to Certify, That the annexed

Case 91-322

PO # 011191

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of one successive

weeks before the 15th day of

March, 1991

Joe Brown - Publisher.

\$ 27.56

## PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-322-SPHXA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section SEE ADDENDUM A ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Practical difficulty exists in the use of the property for a day-care facility for up to forty (40) children. There are substantial site constraints to the planned facility due to the ownership by and location of the property adjacent to the church (legal owner). There is a real need for this community resource and the requested variances would be consistent with the spirit and intent of the Zoning Laws and not in conflict with them. Denial of a variance would be a substantial hardship for the owners, Petitioners and neighborhood residents who are in need of this facility. And for other reasons to be addressed at the hearing of this Petition.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Pastor Isaiah Hill

Hopewell Day Care, Inc.

(Type or Print Name)

[Signature]

Signature

1613 Hopewell Avenue

Address

Baltimore, Maryland 21221

City and State

Attorney for Petitioner:

Darryl G. Fletcher

(Type or Print Name)

[Signature]

Signature

8905 Harford Road

Address

Baltimore, Maryland 21234

City and State

Attorney's Telephone No.: 882-2000

Legal Owner(s):

First Baptist Church of Back River

(Type or Print Name)

[Signature]

Signature

Pastor Isaiah Hill

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Pastor Isaiah Hill

Name

1613 Hopewell Avenue 687-3040

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 26 day of Feb., 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11 day of April, 1991, at 2 o'clock P.M.  
J. Robert Hines  
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING

RECEIVED BY: [Signature]

DATE: 3/14/91

ORDER RECEIVED FOR FILING

Date By

316

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 3-19, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3-14, 1991.

THE JEFFERSONIAN,

S. Zeke Orlean

Publisher

\$58.63

## PETITION FOR A VARIANCE

ADDENDUM A

**91-322-SPHXA**

- 424.7a Acreage: From .2850 acres in lieu of 1 acre.
- 424.7b: Front setback-a 10 foot setback in lieu of 25 foot setback.  
Side setback-side yard of 12 feet in lieu of 50 feet, and 40 feet in lieu of 50 feet.  
Side perimeter vegetative buffer 12 feet and 10 feet in lieu of 20 feet.  
Rear perimeter vegetative buffer 6 feet in lieu of 20 feet.
- Drop off and delivery to have no on site drop off in lieu of side or rear yard drop off.
- 424.1b: Location of fence-0 feet setback in lieu of 20 feet.
- Section 409.8 (A) (4) to allow parking within 2 feet of street right-of-way in lieu of 10 feet.

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Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-0014150  
Number

Date

PUBLIC HEARING FEES

ONE HUNDRED DOLLARS (OTHER)

ONE SPECIAL HEARING (OTHER)

ONE SPECIAL EXCEPTION

ONE FOUR OF ABOVE FEES (MAXIMUM)

LAST NAME OF OWNER: 1STBAPTISTCHURCH

PLEASE MAKE CHECKS PAYABLE TO: Baltimore County

Next Business Day

Cashier Validation

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: P-0016130  
Number

Date

PUBLIC HEARING FEES

ONE HUNDRED DOLLARS (OTHER)

ONE SPECIAL HEARING (OTHER)

ONE SPECIAL EXCEPTION

ONE FOUR OF ABOVE FEES (MAXIMUM)

LAST NAME OF OWNER: 1STBAPTISTCHURCH

PLEASE MAKE CHECKS PAYABLE TO: Baltimore County

Next Business Day

Cashier Validation

91-322

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

receipt



Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

February 25, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-322-SPHXA  
5/8 Hopewell Avenue, 20' NE of c/l Oakhurst Avenue  
1615 Hopewell Avenue  
15th Election District - 5th Councilmanic  
Legal Owner(s): First Baptist Church of Back River  
Contract Purchaser(s): Hopewell Day Care, Inc.  
HEARING: THURSDAY, APRIL 11, 1991 at 2:00 p.m.

Special Exception for a Class B child care center within R.T.A.  
Special Hearing to determine if the proposed use of Class B child care center is within a church; and to determine if the bulk standards of Section 424.7 may be variances: (a) when R.T.A. is applicable and (b) when exempt from R.T.A.  
Variance from 2850 acres in lieu of 1 acre; front setback of 10 feet in lieu of 25 feet setback; side yard setback of 12 feet in lieu of 50 feet and 40 feet in lieu of 50 feet; side perimeter vegetative buffer 12 feet and 10 feet in lieu of 20 feet; rear perimeter vegetative buffer 6 feet in lieu of 20 feet; drop-off and delivery to have no onsite drop-off in lieu of side or rear yard drop-off; location of fence of zero foot setback in lieu of 20 feet; and to allow parking within 2 feet of street right-of-way in lieu of 10 feet.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Pastor Isaiah Hill  
Darryl G. Fletcher, Esq.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

March 28, 1991

Darryl G. Fletcher, Esquire  
8305 Harford Road  
Baltimore, MD 21234

RE: Item No. 316, Case No. 91-322-SPHXA  
Petitioner: First Baptist Church, et al  
Petition for Zoning Variance, Special Exception and  
Special Hearing

Dear Mr. Fletcher:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Dyer  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Pastor Isaiah Hill  
1613 Hopewell Avenue  
Baltimore, MD 21221

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this  
20th day of February, 1991.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:  
James E. Dyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: First Baptist Church of Back River, et al  
Petitioner's Attorney: Darryl G. Fletcher

Baltimore County Government  
Department of Public Works  
Bureau of Traffic Engineering

101 Bosley Avenue Suite 405  
Towson, MD 21204

887-3554  
Fax 887-5784

February 19, 1991

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 316  
Property Owner:  
Location:

Z.A.C. February 19, 1991  
First Baptist Church of Back River  
South side of Hopewell Avenue at Oakhurst Avenue.

Existing Zoning:  
Proposed Zoning:  
Area:  
District:

D.R.-5.5  
Special Exception for a Class B child care center within R.T.A.  
12,414.60 sq. feet.  
15th Election District  
5th Councilmanic District

Dear Mr. Haines:

The proposed day care center should have a safe off-street loading area for children.

Parking may be a problem at this site.

Very truly yours,  
Michael S. Flanagan  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF/lvd

received  
3/7/91

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(301) 887-4500

March 7, 1991

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: FIRST BAPTIST CHURCH OF BACK RIVER  
Location: 1615 HOPWELL AVENUE  
Item No.: 316 Zoning Agenda: FEBRUARY 19, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. ADDITIONAL FIRE HYDRANTS SHALL BE LOCATED AT THE CORNER OF HOPWELL AVENUE AND OAKHURST AVENUE.

REVIEWER: [Signature] Noted and Approved  
Special Inspection Division Fire Prevention Bureau

JR/KEK

received  
3/14/91

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

ZONING VARIANCE FORM  
W/S(12-88)

Zoning Item # 316, Zoning Advisory Committee Meeting of 3/14/91  
Property Owner: [Signature]  
Location: [Signature] District: [Signature]  
Water Supply: [Signature] Sewage Disposal: [Signature]  
COMMENTS ARE AS FOLLOWS:

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

( ) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3375, to obtain requirements for such installation(s) before work begins.

( ) A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

( ) A permit to construct from the Bureau of Air Quality Management is required for any channeled generation which has a total cooking surface area of five (5) square feet or more.

( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

(X) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.

( ) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3375.

( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

( ) Soil percolation tests, have been \_\_\_\_\_, must be \_\_\_\_\_, conducted.  
( ) The results are valid until \_\_\_\_\_  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

( ) In accordance with Section 19-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until \_\_\_\_\_  
( ) is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

( ) Prior to occupancy approval, the capability of the water supply must be verified by collection of bacteriological and chemical water samples.

( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.

( ) In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2362.

( ) Others \_\_\_\_\_

[Signature]  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: February 22, 1991  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for February 19, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 296, 299, 302, 305, 312, 313, 314, 315 and 317.

For Items 300 and 316, County Review Group Comments are required.

For Item 310 the previous County Review Group Comments are still applicable.

For Item 307, the previous minor subdivision comments are still applicable.

ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

Received  
2/23/91

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines, Zoning Commissioner December 10, 1990  
TO: Patricia Heidel, Community Planner  
Grants Administration  
FROM: Verification of Zoning on Property -  
Hopewell Day Care Center, Inc.  
SUBJECT:

91-322-SPHXA

The Grants Administration Office within the Department of Community Development has been working with Hopewell Day Care, Inc. since this summer when the County awarded federal Community Development Block Grant funds to expand a licensed group child care center. Until August, 1990, the First Baptist Church of Back River, Maryland operated this day care center for twenty children in an addition to the rear of this church located at 1613 Hopewell Avenue in Essex.

However, to comply with federal regulations for the separation of church and state, the church formed a nonprofit organization, Hopewell Day Care, Inc., to receive the Block Grant award and to expand and operate its existing day care program. The nonprofit group will use the grant to purchase a modular building with capacity for forty children and to make site improvements to accommodate the new facility.

There is insufficient land within the lot at 1613 Hopewell Avenue, which houses the existing center, to expand this building. Therefore, the nonprofit plans to place the modular unit across Oakhurst Avenue at 1615 Hopewell Avenue. The First Baptist Church also owns this land and will lease it for ninety-nine years to Hopewell Day Care, Inc. for use only as a group child care center.

Although the pre-school children will spend most of the day at 1615 Hopewell Avenue, they will still regularly use the playground at 1613 Hopewell Avenue. In addition, the staff will regularly use the space in the original day care center at 1613 for staff functions. School-age children will use both the 1613 and 1615 locations for their after-school and summer programs.

Therefore, we view the two day care buildings as one integrated day care site within one church property. Section 424.2 of the Baltimore County Zoning Regulations states that group child centers are permitted by right within churches. We feel that the Hopewell Day Care, Inc. project meets this requirement of being within a church and simply represents an expansion of an existing child care program within the church.

CPS-008

J. Robert Haines  
December 10, 1990  
Page -2-

91-322-SPHXA

Oakhurst Avenue, which bisects the two day care sites, is a small dead-end residential street with only one house and, thus has very little traffic. Furthermore, the pre-school children will regularly cross Oakhurst to travel from the modular unit to the playground and day care building at 1613 Hopewell. This facility will still be licensed as a school-age child care program and will also provide space for staff functions. Therefore, the 1613 and 1615 addresses will function as joint components of the Hopewell Day Care Center.

We are requesting that you rule that this project will not require a special exception. Given the close ties between the child care activities at 1613 and 1615 Hopewell Avenues and the fact that the 1615 site represents an expansion of an existing licensed child care program, we feel that the new project is an integral part of a child care center within a church. Only a small dead end street separates the two day care buildings. Finally, the church has given the nonprofit a 99-year lease to expand the day care program at 1615 Hopewell Avenue. This expansion will meet a critical need for day care serving low and moderate-income families in Essex. Applying for a special exception would further delay the ability of the Block Grant Program to provide these critically needed day care slots.

Attached for your review is a site plan for this project. Please call me at extension 6055 if you need additional information. I look forward to hearing your decision. Thank you for your assistance.

PH:erb

cc: Isaiah Hill, President  
Hopewell Day Care, Inc.  
1613 Hopewell Avenue  
Essex, Maryland 21221

3/c

Baltimore County Government  
Department of Community Development  
Office for Children  
One Investment Place Suite 106  
Towson, MD 21204  
DEC 31 1990  
887 3045  
FAX 887 5096

ZONING OFFICE

December 21, 1990

Mr. J. Robert Haines  
Zoning Commissioner  
Office of Planning  
& Zoning  
M.S. 3402

91-322-SPHXA

Dear Mr. Haines:

Rarely in the history of day care services in Baltimore County has a provider been able to establish a quality facility built from ground up. Hopewell Day Care Center, Inc. is in the position to do just that. With careful planning we came up with the location and structure of a facility that provides the best service and protection to children.

The planned day care building placed lengthwise next to Oakhurst Street, has at least three features of quality central:

1. The floor plan puts indoor activity area next to protected outdoor activity area. This is the best interpretation of COMAR 10.05.01.64 Equipment and storage shall be arranged so that small groups of children can move safely and easily from one activity to another according to their interests.
2. The exits required by the Fire Department can remain unlocked, yet protected (in the joining play area) by a fenced enclave. In this design, the outdoor play/eating areas are easily supervised through large windows.
3. The playground standards are met with 7,000 square feet of space for 60 children. The "U" shaped configuration is easier to supervise than a play area that surrounds the building. This design also requires less fencing to shield the children from traffic ways.

3/c

Letter page 2

The continuity of the program is another feature to consider. The licensee has not requested a new license but a capacity increase based on available space. The proposed design is the best space used for an increase to 60 children in a protected environment.

Finally, the design requires few windows in the support area on the Oakhurst Street side of the building. This allows for very effective signage on the side of the building.

I have been working very closely with Hopewell Day Care Center, Inc. planning this expansion. I recommend the acceptance of the site plan as it was submitted because an alternative plan might compromise quality child development and safety.

Sincerely,

Catherine Drayton  
Child Development Specialist

CD/kat

LETTER/TXTKIM

91-322-SPHXA

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SWM  
Mr. Powell / EIRD  
Mr. Pilson / W&S  
Mr. Flowers / CBCA  
Mr. Fisher / Planning  
Mr. Richards / Zoning  
Mr. Bowling / UED (2)  
Mr. Famill / Traffic  
Mr. Weiss / Sanitation  
Mr. Beaumont / Land Acq.  
Ms. Lutz / House Nos.  
Capt. Kelly / Fire Dept.  
Mr. Kincer / Rec.&Parks  
Mr. Brocato / SHA  
Mr. Butcher / C&P  
Mr. Keller / OPZ Deputy Director (FYI)  
DATE: June 17, 1991

FROM: Susan Wimbley  
Bureau of Public Services

SUBJECT: District: 15C5  
Project Name: Hopewell Child Day Care  
Project No.: 91110  
Engineer: Canino  
Phone No.: 661-0415

ACTION REQUESTED:  
CRG Plan Review (Meeting Waived) : xx N-91-85/J  
CRG Plan Refinement Review :  
CRG Non-Material Amendment Review :  
CRG Plan Approval Extension Review:  
Panhandle Minor CRG Plan Review :  
Minor Subdivision Review :

Please review the attached plan for compliance with current regulations and return comments to our office by 7-8-91. If you have no comments or do not need to review this plan, please indicate by placing your initials here.

Thank you for your attention to our request.

SDW:sdw  
cc: File

To: Kate  
6/18/91 WCR  
Per 6-19

HOPWELL CHILD DAY CARE  
1615 Hopewell Avenue  
W-91-85

CRG Plan Review (Meeting Waived)  
Plan Date: 1/31/91  
Comments Due: 7/8/91  
Comments Date: 6/25/91  
Comments Completed: 6/26/91

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify obvious conflicts with the Baltimore County Zoning Regulations, and details necessary in order to determine compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts well in advance of any expected zoning approvals. The intent of the developer must be clear on the C.R.G. plan and any zoning conflicts must be identified conspicuously on the plan under "Zoning Public Hearing Request". If a public hearing is requested, the assistance received at the time of filing zoning petitions and the following zoning staff comments, although they relate to the property, are not to be construed as definitive nor do they indicate the appropriateness of any public hearing requests:

HISTORY -- Provide a zoning history by case number on the plan including the date of the last order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case number 91-322-SPHXA.

Change title of plan to CRG Plan; include waiver number and date of waiver approval.

SIGNS -- Provide an engineering scale elevation on the plan of all existing and proposed free-standing signs clearly indicating the type, height, dimensions, square footage, single or double-face and illumination. All signs must be keyed to their existing or proposed location on the plan print and enough detail must be shown to determine compliance with Section 424.6 (B.C.Z.R.) and all zoning sign policies or a zoning variance is required.

HOPWELL CHILD DAY CARE  
W-91-85  
Page 2

Indicate parking will comply with Section 409.8.A.2 and 409.8.A.6.

Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments.

If you have any questions, please do not hesitate to call me at 887-3391. Any requests for further information from the Zoning Office must include a reference to the waiver file #W-91-85 and written correspondence or revised plans must be accompanied by a copy of these comments.

CATHERINE A. MILTON  
PLANNER I

CAM:scj

cc: Current Planning  
Zoning File - 91-322-SPHXA  
Waiver File

3/c



IN RE: HOPEWELL DAY CARE, INC.  
FOR SPECIAL HEARING  
AND VARIANCE

BEFORE THE  
ZONING COMMISSIONER  
FOR  
BALTIMORE COUNTY

SUBPOENA

TO: FRANK W. WELSH or  
Authorized Representative  
Director of Community Development  
1 Investment Place, Suite 800  
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED to appear before the Zoning  
Commission of Baltimore County on April 11, 1991 at 2:00 P.M., at  
Room 106, of the County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland 21204.

Subpoena requested by Petitioner, Hopewell Daycare Center,  
Inc. Any questions should be directed to Darryl G. Fletcher,  
Esquire, 8905 Harford Road, Baltimore, Maryland 21234, (301) 882-  
2000.

Mr. Sheriff/Private Process Server please process in  
accordance with Zoning Commission Rule IV (c).

J. Robert Harris  
Zoning Commissioner

TESTIMONY  
HOPEWELL DAY CARE CENTER, INC.  
SPECIAL HEARING IN ZONING

The Baltimore County Department of Community Development  
supports the expansion of Hopewell Day Care Center in the Essex  
area near Back River Neck Road. There are five major reasons  
why this project is so very important.

1. Statistics show that there is a critical need for  
child care in the Essex area.
2. The available child care in the area is limited with  
not much chance for expansion.
3. The project will benefit low income families.
4. The history of service at the First Baptist Church  
is long and impressive.
5. The current church buildings are substandard for  
quality child care.

According to the latest report from LOCATE (the County's  
information and referral service for child care), 521 calls were  
made this year for the location of available care in Essex.  
Essex is recorded as having the 3rd highest level of requests in  
the county. Essex is also listed as one of the geographic  
sections where slots in group child care by LOCATE cannot be  
found.

The Child Care Administration reports that there are six  
centers in the Essex area with a total capacity of only 214  
children. There is no room to increase the capacities in any of  
these buildings. Hopewell is the only one with potential to  
increase available care; perhaps to double its current capacity.

It is clear to see that the numbers and types of  
facilities to support group child care are inadequate in the  
Essex area. Hopewell Day Care, Inc. is a non-profit operation.  
It provides care with the lowest fee structure known in the  
County. Eighty percent plus (80%+) of enrolled children are  
subsidized by purchase of care. For years First Baptist Church,  
which houses the day care service, not only provided affordable  
care, but provided employment training and other self help  
opportunities for the under employed. While the current church  
buildings are modest and fragile, they serve the community well  
- yet they are not adequate to support quality child care. Our  
support, therefore is behind the expansion of the child care  
services into a new building in a new space.

-Summary-

Baltimore County Department of Community Development wants  
to develop child care where child care is needed in the County.  
Church properties are good sites for child care. Typically,  
child centers in low income areas are developed piecemeal or  
made over in shared spaces. This Hopewell plan for low cost,  
quality child care would create a state of the art situation.  
The proposed new building will be a considerable asset to the  
community. We urge you to grant this special exception.

E.M. CANINO + ASSOCIATES  
ARCHITECTS / PLANNERS

91-322-SPHXA

December 7, 1990

Kate Milton  
Planner  
111 West Chesapeake Avenue  
Room 113  
Towson, MD 21204

Re: Hopewell Day Care Center Project  
1615 Hopewell Avenue  
Baltimore, MD 21221

Notes Concerning Meeting with Kate Milton,  
December 6, 1990.

Dear Kate,

If you recall, we met yesterday to review our needs for  
Special Exception and Zoning Variance. The major issue  
presently is your observation of the necessity for clarification  
of the word "within" in section 121.2 of the Code.

When I returned to the office I phoned Pat Haidel, the  
Community Planner with the Baltimore County Department of  
Community Development - Grants Administration. To begin the  
entire Child Day Care project she had visited your offices and  
reviewed this very issue with Larry Gatz on 7/11/90 (who  
coincidentally, I met with to review my data). Larry conferred  
with John Lewis who basically said that the "... permitted by  
right within the following uses ..." was addressing land use not  
necessarily building form of the following list of six  
categories.

Based on that verbal indication of applicability she  
initiated a process of contact with the church-formed  
corporation that led to our present labors on the project.  
Could you cover this rather critical issue with Larry as well as  
clarify this important point?

8811 Harford Road / Baltimore, Maryland 21234 / 301/661-0415 / FAX 301/661-4224

316

E.M. CANINO + ASSOCIATES  
ARCHITECTS / PLANNERS

July 16, 1991

To: Ms. Catherine Milton  
Baltimore County Office of Planning and Zoning

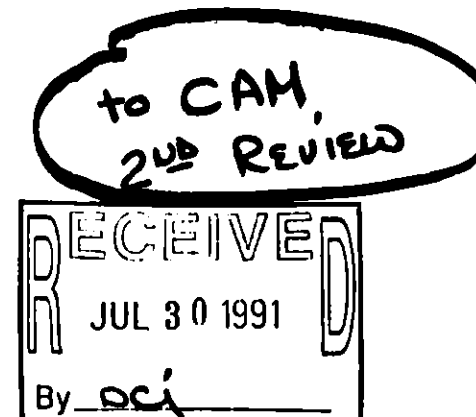
Re: Hopewell Child Day Care Center  
Project #91110/W-91-85  
Response to comments of 6/26/91

Dear Ms. Milton,

Thanks for your reply to our project. Could we refer you to the  
enclosed documentation illustrating the process already undertaken?  
Enclosed is a revised CGR Plan. Your reference to signs is covered by  
note o the plan and will be taken up at a later date. The sign  
contemplated is simple lettering on the building with no thought  
being given to free standing signage.

Sincerely,

Edward Canino, AIA



8811 Harford Road / Baltimore, Maryland 21234 / 301/661-0415 / FAX 301/661-4224

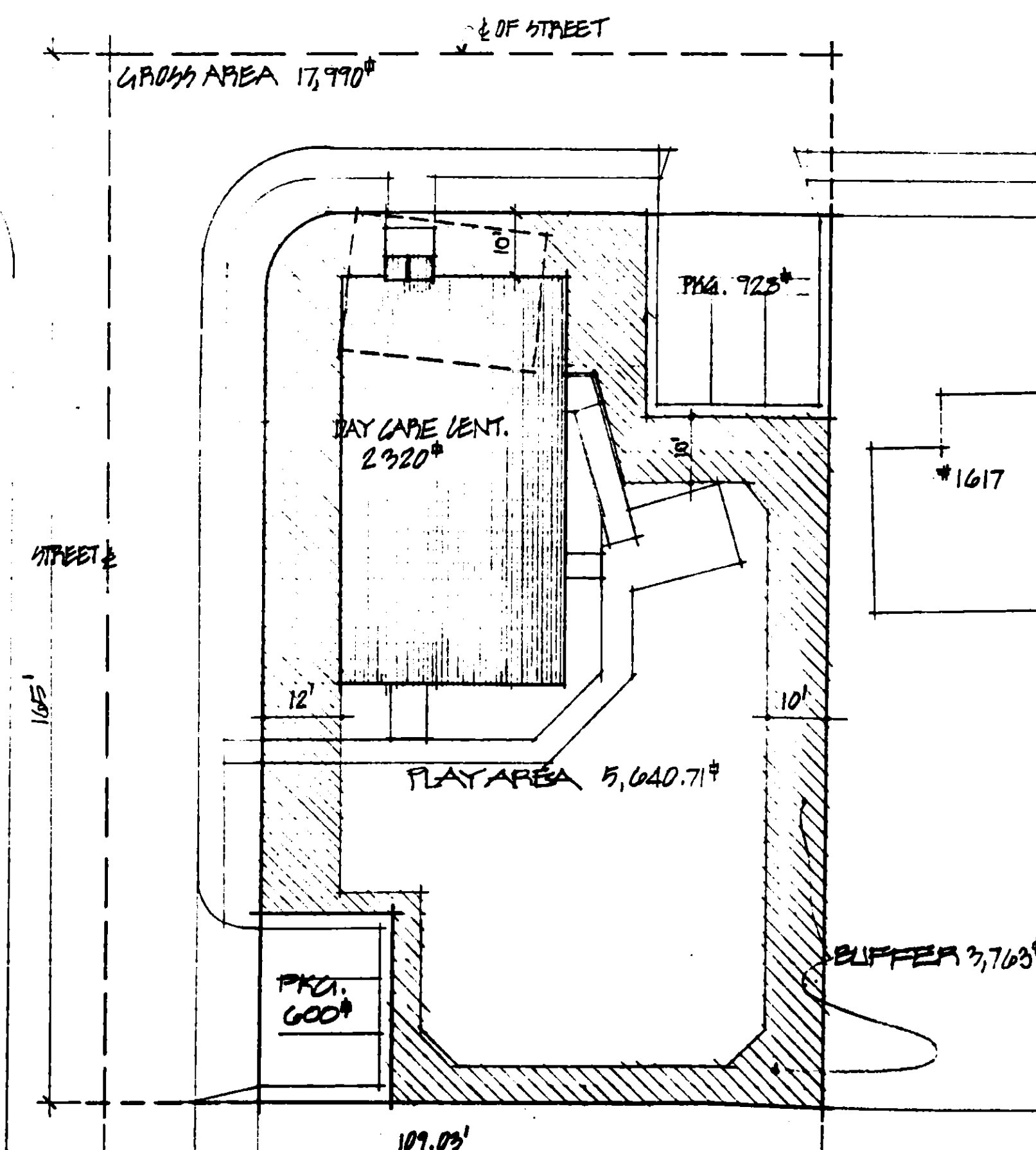
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Isaiah D. Hill	1613 Hopewell Avenue
Catherine D. Drayton	Dept. of Community Development Suite 106, 1 Investment Pl.
ED CANINO	Towson, MD 21204 8811 HARFORD RD. BALTO. MD. 21234

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Charles F. Fike	1619 Hopewell Ave.
Charles F. Fike Jr.	1619 Hopewell Ave.



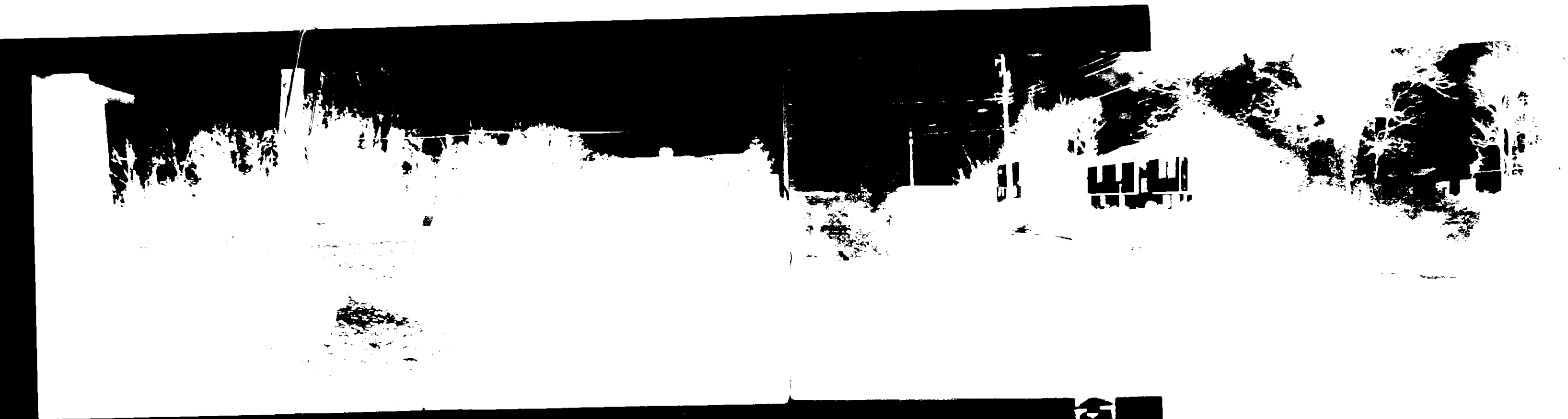
HOPWELL DAY CARE CENTER  
#1613 HOPWELL AVE.  
PROP BLDG. 2,320\* 19%  
PLAY AREA 5,640.71\* 39%  
PARKING 1,528\* 12%  
BUFFER 3,763\* 30%  
TOTAL 12,414.6\* 100%  
GROSS AREA 17,970\* IMPV. 3,006\* 21.6%  
PARKING PAVING 1,300\*  
BUILDING 2,320\*  
SIDEWALK 266\*  
3,886\*

91-322-SPHXA  
HOPWELL DAY CARE CENTER  
#1613 HOPWELL AVE.  
E.M. CANINO + ASSOCIATES  
ARCHITECTS / PLANNERS  
8811 Harford Road / Baltimore, Maryland 21234 / 301/661-0415 / FAX 301/661-4224  
DRAWING NO.  
ONE



91-322-SPHXA

CASE NUMBER



91-322-SPHXA

CASE NUMBER

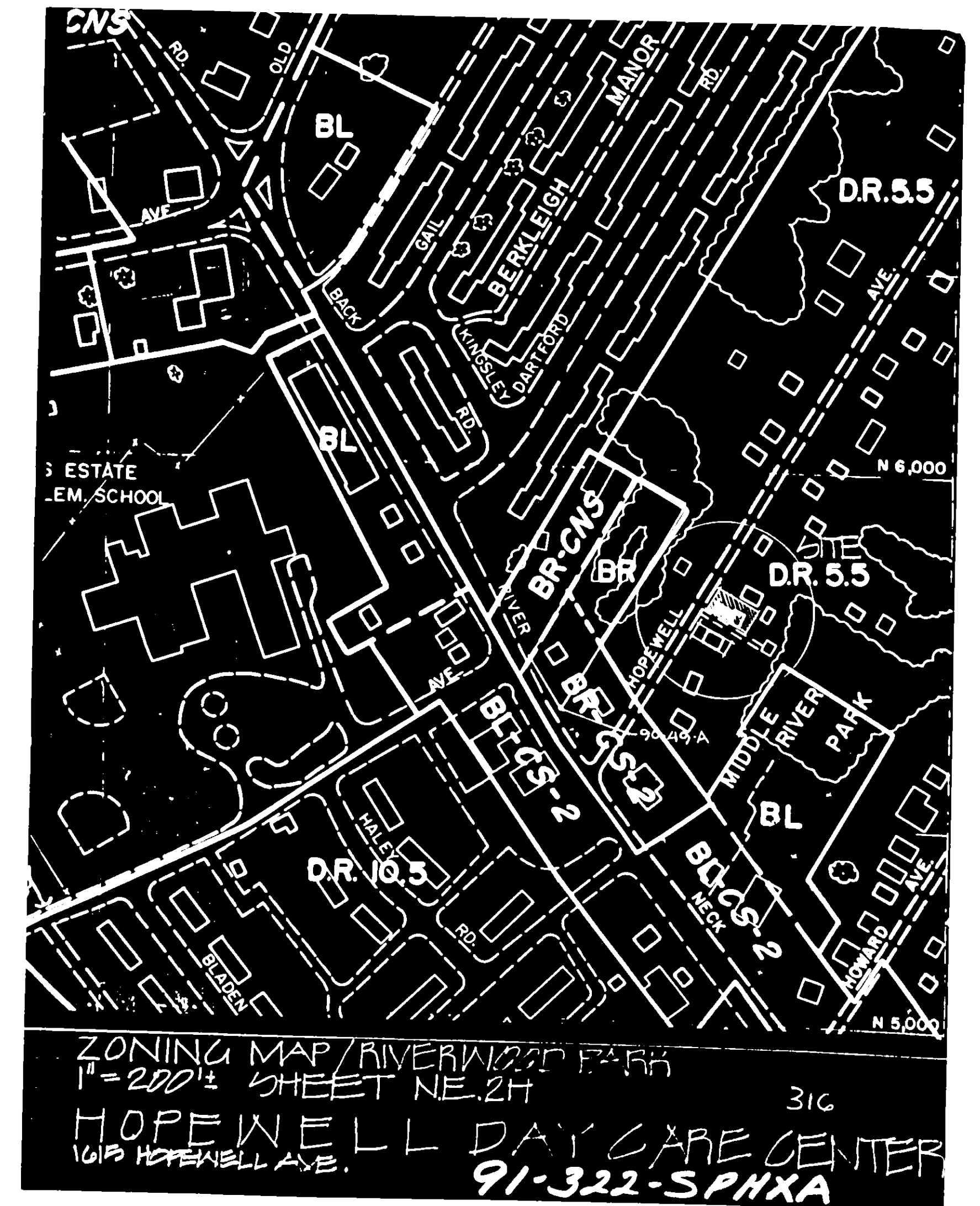


PETITIONER(S) EXHIBIT 2

91-322  
SPHXA

4/11/91  
To Whom it may Concern  
I do not oppose  
the expansion of  
Hopewell day care  
Project as long  
as it does not change  
the Neighborhood from  
Residential in to  
Commercial

Wm B. Tenhouse











**PETITIONER'S  
EXHIBIT 3**

91-322  
SPHXA

Pet Ex #7



**E.M. CANINO + ASSOCIATES**  
ARCHITECTS / PLANNERS

8811 Harford Road / Baltimore, Maryland 21234 / 301/661-0415 / FAX 301/661-4224